

110TH CONGRESS  
2D SESSION

# H. R. 6094

To hold the surviving Nazi war criminals accountable for the war crimes, genocide, and crimes against humanity they committed during World War II, by encouraging foreign governments to more efficiently prosecute and extradite wanted criminals.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2008

Mr. ISRAEL introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To hold the surviving Nazi war criminals accountable for the war crimes, genocide, and crimes against humanity they committed during World War II, by encouraging foreign governments to more efficiently prosecute and extradite wanted criminals.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “World War II War  
5 Crimes Accountability Act of 2008”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Surviving Nazi war criminals are becoming  
4 increasingly rare.

5 (2) The identities of many of the remaining  
6 criminals were made known only after the end of the  
7 Cold War and the collapse of Communist govern-  
8 ments throughout eastern Europe.

9 (3) In most of these formerly communist coun-  
10 tries, the volume of available information is enor-  
11 mous, and the available resources to study it and  
12 identify war crimes suspects is comparatively small.

13 (4) In the United States, the Office of Special  
14 Investigations (OSI) of the Department of Justice is  
15 responsible for detecting, investigating, and taking  
16 legal action to denaturalize or deport persons who  
17 took part in Nazi-sponsored acts of persecution com-  
18 mitted abroad between 1933 and 1945.

19 (5) As of April 2008, OSI had successfully  
20 prosecuted more than 100 people involved in Nazi  
21 war crimes who were residing in the United States.

22 (6) As a government office with limited re-  
23 sources, OSI is under enormous strain to identify  
24 and prosecute those criminals identified by newly-re-  
25 leased records before it is too late.

1           (7) Some foreign governments hinder the ef-  
2           forts of OSI, Congress, and the United States Gov-  
3           ernment to extradite or deport convicted Nazi war  
4           criminals from the United States to their country of  
5           origin or other relevant jurisdiction.

6           (8) Certain nongovernmental organizations have  
7           been instrumental in the search for wanted Nazi war  
8           crimes suspects for over 60 years.

9           (9) In 2002, the Simon Wiesenthal Center  
10          launched Operation: Last Chance to maximize the  
11          identification and help facilitate the prosecution of  
12          the remaining unprosecuted Nazi war criminals,  
13          helping to achieve justice for the victims of the Hol-  
14          ocaust.

15          (10) Simon Wiesenthal, a survivor of the Nazi  
16          death camps whose work stands as a reminder and  
17          a warning for future generations, dedicated his life  
18          to—

19                 (A) documenting the crimes of the Holo-  
20                 caust; and

21                 (B) hunting down the perpetrators still at  
22                 large.

23          (11) As founder and head of the Jewish Docu-  
24          mentation Center in Vienna, Simon Wiesenthal suc-

1       cessfully brought to justice wanted Nazi war crimi-  
2       nals, including—

3               (A) Franz Stangl, the commandant of the  
4       Treblinka death camp;

5               (B) Franz Murer, “The Butcher of  
6       Wilno”; and

7               (C) Erich Rajakowitsch, who was in charge  
8       of the “death transports” in Holland.

9       (12) Mr. Wiesenthal’s work, which contributed  
10      enormously to the modern understanding of justice,  
11      war crimes, and crimes against humanity, should be  
12      continued.

13      (13) Of the most guilty Nazis and Nazi collabo-  
14      rators still at large, Operation: Last Chance has  
15      identified the following suspects:

16              (A) Dr. Aribert Heim, who served as a  
17      medical doctor at the Sachsenhausen, Buchen-  
18      wald, and Mauthausen concentration camps, is  
19      the most wanted ex-Nazi still at large. His most  
20      terrible crimes were committed at Mauthausen,  
21      where he murdered hundreds of inmates by ad-  
22      ministering lethal injections of phenol to their  
23      hearts or by other torturous killing methods  
24      during the fall of 1941. His whereabouts are  
25      unknown.

1 (B) Dr. Sandor Kepiro, who served as an  
2 officer in the Hungarian gendarmerie, was 1 of  
3 several Hungarian officers convicted in 1944  
4 for the mass murder of several thousand civil-  
5 ians (mostly Jews) in the city of Novi Sad on  
6 January 23, 1942. In the wake of the occupa-  
7 tion of Hungary in March 1944, he was par-  
8 doned, promoted, and returned to active service.  
9 He escaped to Austria in 1945, fled to Argen-  
10 tina in 1948, and returned to Hungary in 1996.

11 (C) Milivoj Asner, who served as the police  
12 chief of the city of Slavenska Pozega. During  
13 1941 and 1942, Mr. Asner orchestrated the  
14 robbery, persecution and destruction of the local  
15 Serb, Jewish, and Gypsy communities, which  
16 culminated in the deportation of hundreds of ci-  
17 vilians to Ustasha concentration camps, where  
18 most of the deportees were murdered. After his  
19 exposure in Operation: Last Chance, the former  
20 police chief later escaped once again to  
21 Klagenfurt, Austria where he currently resides.

22 (D) Charles Zentai is accused of mur-  
23 dering 18-year-old Peter Balazs, a Jewish boy  
24 he caught riding a Budapest tram without the  
25 requisite yellow star on November 8, 1944.

1           After Hungarian requests for his extradition  
2           went unanswered, Zentai was able to immigrate  
3           to Australia in February 1950, where he cur-  
4           rently lives.

5 **SEC. 3. SENSE OF THE HOUSE OF REPRESENTATIVES.**

6           It is the sense of the House of Representatives that—

7           (1) the United States should actively encourage  
8           extradition and prosecution of the remaining Nazi  
9           war criminals (as described by 8 U.S.C.  
10          1182(a)(3)(e));

11          (2) the Simon Wiesenthal Center should be  
12          commended for its historic work in bringing to light  
13          the atrocities of the Holocaust and in advancing jus-  
14          tice for Nazi war criminals through Operation: Last  
15          Chance; and

16          (3) the Office of Special Investigation of the  
17          Department of Justice is advancing the declared for-  
18          eign policy of the United States by bringing wanted  
19          World War II criminals to justice and should be  
20          commended for its actions.

21 **SEC. 4. DESIGNATION OF VISA WAIVER PROGRAM COUN-**  
22 **TRIES.**

23          (a) COOPERATION.—After a country is initially des-  
24          ignated as a visa waiver program country under section  
25          217(c) of the Immigration and Nationality Act (8 U.S.C.

1 1187(c)), the Attorney General, in evaluating the effect  
2 that such designation would have on the law enforcement  
3 and security interests of the United States under para-  
4 graph (2)(C) of such section, shall consider the extent to  
5 which such country is cooperating in—

6 (1) extraditing or prosecuting wanted or in-  
7 dicted Nazi war criminals to the relevant jurisdic-  
8 tion; and

9 (2) admitting into their territory aliens de-  
10 scribed in section 212(a)(3)(E)(i) and ordered re-  
11 moved from the United States by a United States  
12 immigration judge, the Board of Immigration Ap-  
13 peals, or a Federal court.

14 (b) PRESIDENTIAL DISCRETION.—

15 (1) IN GENERAL.—If the President determines  
16 that it would not be in the national interest of the  
17 United States to terminate a country's designation  
18 as a visa waiver program country based on the eval-  
19 uation under subsection (a), the President may de-  
20 cline to terminate such designation after providing  
21 advance written notification to—

22 (A) the Committee on Foreign Relations of  
23 the Senate;

24 (B) the Committee on the Judiciary of the  
25 Senate;

1 (C) the Committee on Foreign Affairs of  
2 the House of Representatives; and

3 (D) the Committee on the Judiciary of the  
4 House of Representatives.

5 (2) CONTENTS.—In providing notification  
6 under paragraph (1), the President shall—

7 (A) identify each crime suspect described  
8 in subsection (a)(2) whose admission has not  
9 been effected; and

10 (B) submit copies of all decisions rendered  
11 by United States immigration judges, the  
12 Board of Immigration Appeals, and Federal  
13 courts that relate to such crime suspects.

14 **SEC. 5. ANNUAL REPORT.**

15 In each of the fiscal years 2009 through 2013, the  
16 President shall submit an annual report to the committees  
17 listed in section 4(b)(1), which describes, for each country  
18 that has a pending application for entry into or renewal  
19 of the visa waiver program, whether such country is—

20 (1) cooperating satisfactorily in extraditing or  
21 deporting wanted Nazi war crimes suspects to the  
22 jurisdiction in which they have been indicted or con-  
23 victed;



1           (2) prosecuting wanted Nazi war crimes sus-  
2       pects effectively within such country's jurisdiction;  
3       and

4           (3) cooperating satisfactorily in admitting to  
5       the territory of such country aliens described in sec-  
6       tion 212(a)(3)(E)(i) and ordered removed from the  
7       United States territory by a United States immigra-  
8       tion judge, the Board of Immigration Appeals, or a  
9       Federal court.

○